

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.: 3:19-CR-55-TAV-JEM-3
)
COY POTTER,)
)
Defendant.)

ORDER

This criminal case is before the Court on the government's Motion to Dismiss Superseding Indictment as to Coy Potter [Doc. 119]. In support the government states that defendant pleaded guilty to charges in the original indictment and that such charges fully represent his conduct and the facts of this case.

Federal Rule of Criminal Procedure 48(a) permits the government, with leave of court, to dismiss an indictment, information, or complaint. *See also Gaitor v. United States*, Nos. 2:11-CR-35, 2:15-CV-269, 2018 U.S. Dist. LEXIS 87335, at *12–13 (E.D. Tenn. May 24, 2018) (citations omitted) (noting a superseding indictment does not nullify the original indictment). Accordingly, for good cause shown, the government's motion [Doc. 119] is **GRANTED** and the superseding indictment is **DISMISSED** as to this defendant.

IT IS SO ORDERED.

s/ Thomas A. Varlan

UNITED STATES DISTRICT JUDGE